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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,145	06/24/2000	Michael Cortopassi	PALM-2933	6681

7590 04/14/2004

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EXAMINER
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ZAND, KAMBIZ

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 04/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/605,145

Applicant(s)

CORTOPASSI ET AL.

Examiner

Kambiz Zand

Art Unit

2132

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claims 1, 6-12 and 17-30 have been amended.
4. Claims 1-30 are pending.
5. Examiner withdraws objection to claims 12-20 under 37 CFR 1.75 double patenting due to correction by the applicant.
6. Examiner withdraws rejection of claims 1-20 under 35 U.S.C 101 due to correction by the applicant.
7. Examiner withdraws rejection of claims 1-20 under 35 U.S.C 112-second paragraphs due to correction by the applicant.

### ***Response to Arguments***

8. Applicant's arguments with respect to the claims 1-30 have been considered but are moot in view of the new ground(s) of rejection due to amendment of the claims by Applicant.

***Claim Rejections - 35 USC § 102***

9. **Claims 1-8, 12-18 and 20-28** are rejected under 35 U.S.C. 102(b) as being anticipated by Hall et al (5,898,831 A).

**As per claims 1 and 21** Hall et al (5,898,831 A) teach a non-contact security system and a method comprising: an entryway; a portable computing device (see fig.7 where the item 64 describes the security features of a device that contains number of fields such as peer id; or fig.8 and 9 where security feature of enabling or disabling with respect to unlock or access and lock (deny access) is disclosed where the entryway is the lock or access point), comprising a radio frequency identification integrated circuit that outputs a radio frequency signal containing a security code in response to being located within a radio frequency signal field (see fig.2-4, 15 and 16 where personal device 121 transmit radio frequency signal to the car's door and where the device is within range of door range where the security code is electronic codes unique to the car as disclosed in col.12, lines 27-31; col.4, lines 8-20 disclose the use of radio frequency as an option for wireless communication may be employed; and col.5, lines 28-36 where ID, codes or passwords or PIN is being used as security code), said radio frequency identification integrated circuit is inactive except when located within said radio frequency signal field; a reader device that outputs said radio frequency signal field and receives said radio frequency signal (It is inherent in the art; as an example a remote car only is activated when it is within a

range that the car door's reader is able to acknowledge its frequency receipt), said reader device outputs a release signal if said security code is authorized (see fig.16, item 215 and 216; col.12, lines 31-40); and a locking mechanism that unlocks said entryway upon receipt of said release signal (see fig.16, item 216; col.12, lines 31-38; col.7, lines 55-58 where it unlock a secure passageway and fig.8-9).

**As per claims 2-5, 13-16 and 23-27** Hall et al (5,898,831 A) teach the system and a method as described in claims 1, 12 and 21, wherein said computing device comprises a PDA, pager, portable phone, laptop computer, calculator, a radio frequency identification tag or a portable device (see fig.3; col.5, lines 54-65).

**As per claims 6-7, 17 and 22** Hall et al (5,898,831 A) teach the system and a method as described in claims 1, 12 and 21, wherein said code/password is unique or common (see where the security code is electronic codes unique to the car as disclosed in col.12, lines 27-31; col.4, lines 8-20 disclose the use of radio frequency as an option for wireless communication may be employed; and col.5, lines 28-36 where ID, codes or passwords or PIN is being used as security code).

**As per claim 8** Hall et al (5,898,831 A) teach the system, method as described in claim 1, wherein said radio frequency identification integrated circuit is incorporated with a snap-on adapter fabricated to couple to said portable computing device (see fig.2-4; col.5, lines 54-65).

**As per claim 12** Hall et al (5,898,831 A) teach a docking station security system, said system comprising: an entryway; a docking station; a portable computer system that outputs a signal containing a password once coupled to said docking station, wherein said docking station receives and outputs said signal; a reader device receives said signal from said docking station, said reader device outputs a release signal if said password is authorized; and a locking mechanism that unlocks said entryway upon receipt of said release signal (see fig.2-46, 8-9; 15-16; col.5, lines 54-67; col.12, lines 31-38; col.7, lines 55-58; col.12, lines 27-31; col.4, lines 8-20 disclose the use of radio frequency as an option for wireless communication may be employed; and col.5, lines 28-36 where ID, codes or passwords or PIN is being used as security code and as applied to claim 1 above).

**As per claim 18** Hall et al (5,898,831 A) teach the system as described in claim 12 wherein said docking station comprises a mechanical and electrical interface for interfacing with a communication interface of said portable computer system (see fig.2).

**As per claim 20** Hall et al (5,898,831 A) teach the system, method as described in claims 12 wherein said docking station enables communication between said portable computer system and said reader device (see fig.1-4; col.5, lines 1-67).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hall et al (5,898,831 A).

**As per claim 9** Hall et al (5,898,831 A) fabrication of snap-on adapter from plastic, nylon, or carbon fiber is well known in the art, such as badge, smart card, smart card type modem and remote control. It would have been obvious to one of ordinary skilled in the art at the time the invention was made to fabricate the Hall's portable computing devices from plastic, nylon or carbon fiber in order to have cheap, light and non-conductivity insulated devices..

12. **Claims 10-11, 19 and 29-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall et al (5,898,831 A) in view of Win et al (6, 182,142 B1).

**As per claims 10-11, 19 and 29-30** Hall et al (5,898,831 A) teach all limitation of the claims as applied to claims 1, 12 and 21 above but do not disclose explicitly tracks the time and date said portable computing device enters said entryway and creating a

personal log documenting said portable computing device ingress and egress of said entryway. However Win et al (6, 182,142 B1) teach tracks the time and date said portable computing device enters said entryway and creating a personal log documenting said portable computing device ingress and egress of said entryway (see abstract; col.col.3, lines 15-21; col.6, lines 7-16; col.10, lines 6-24 where the date of successful login or entry access or non successful time and date are recorded and monitored in a log). It would have been obvious to one of ordinary skilled in the art at the time the invention was made to utilize Win et al login monitoring system in Hall's portable computing device access system in order to record access time and date of a portable computing device entryway such as car remote key entry access of fig.15-16 of Hall).

### Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any




extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kambiz Zand

04/06/04

  
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